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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

BARRET HENZEL, *et al.*,  
Plaintiffs,  
v.  
WELLS FARGO BANK, N.A.,  
Defendant.

STANLEY ANN DOWDY,  
Plaintiff,  
v.  
WELLS FARGO BANK, N.A.,  
Defendant.

Case No. 2:22-CV-00529-GMN-NJK

**STIPULATION AND [PROPOSED] ORDER  
CONSOLIDATING CASES AND  
APPOINTING COUNSEL**

**LR 7-1, LR IA 6-2**

Case No. 2:22-cv-00631-GMN-NJK

PMM3, LLC, *et al.*,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.

Defendant.

Case No. 2:22-CV-00654-GMN-NJK

ELIZABETH LEWIS, *et al.*,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.

Defendant.

Case No. 2:22-CV-00658-GMN-NJK

Pursuant to LR 7-1, LR 42-1(b), and LR IA 6-2, Plaintiffs in the above-captioned actions (“Plaintiffs”) and Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) (collectively, the “Parties”), by and through their respective counsel, jointly stipulate as follows:

WHEREAS, four actions pending in this District have been related and referred to the Honorable Gloria M. Navarro and Magistrate Judge Nancy Koppe: *Henzel et al. v. Judd et al.*, No. 2:22-cv-00529-GMN-NJK; *Dowdy v. Wells Fargo Bank, N.A.*, No. 2:22-cv-00631-GMN-NJK; *PMM3, LLC, et al. v. Wells Fargo Bank, N.A.*, No. 2:22-cv-00654-GMN-NJK; and *Lewis et al. v. Wells Fargo Bank, N.A. et al.*, No. 2:22-cv-00658-GMN-NJK (the “Related Actions”);

WHEREAS, these Related Actions involve common questions of fact and law such that consolidation is appropriate under Federal Rule of Civil Procedure 42(a) and the Manual for Complex Litigation, Fourth, § 10.123;

WHEREAS, the Parties have met and conferred, and jointly request consolidation of these actions and Plaintiffs request appointment of interim co-lead counsel and liaison counsel in the interests of orderly case management;

1 WHEREAS, consolidation of the Related Actions and appointment of counsel will advance the  
2 just and efficient conduct of the litigation, prevent duplicative discovery, and promote convenience  
3 and judicial economy;

4 WHEREAS, the parties agree that Defendant Wells Fargo's defenses and objections to any  
5 motion for certification of the Related Actions are expressly reserved, and nothing in this stipulation or  
6 order thereon should be construed as indicating Wells Fargo concedes these cases should proceed as a  
7 class action or that any particular counsel should act as lead counsel or is adequate counsel under  
8 Federal Civil Rule 23;

9 WHEREAS, consolidation and appointment of interim co-lead and liaison counsel will not  
10 cause any prejudice, inconvenience, or delay, or impose any added costs on a party.

11 NOW THEREFORE, the Parties hereby stipulate, and respectfully request that the Court order,  
12 as follows:

13 1. Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the following related  
14 actions pending in this District shall be consolidated for all purposes before the Honorable Gloria M.  
15 Navarro and Magistrate Judge Nancy Koppe: *Henzel et al. v. Judd et al.*, No. 2:22-cv-00529-GMN-  
16 NJK; *Dowdy v. Wells Fargo Bank, N.A.*, No. 2:22-cv-00631-GMN-NJK; *PMM3, LLC, et al. v. Wells*  
17 *Fargo Bank, N.A.*, No. 2:22-cv-00654-GMN-NJK; and *Lewis et al. v. Wells Fargo Bank, N.A. et al.*,  
18 No. 2:22-cv-00658-GMN-NJK.

19 2. If a Party believes an action subsequently filed in, removed to, or transferred to this  
20 District involves questions of fact and law common to the Related Actions, the Parties will meet and  
21 confer whether the action should also be consolidated for all purposes before the Honorable Gloria M.  
22 Navarro and Magistrate Judge Nancy Koppe.

23 3. The consolidated action shall bear the following caption:

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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

*In re J&J Investment Litigation*

Case No. 2:22-cv-00529-GMN-NJK

Assigned for All Purposes to:  
Hon. Gloria M. Navarro

4. The Court appoints Las Vegas attorneys Knepper & Clark LLC to serve as liaison counsel. Consistent with the Manual for Complex Litigation, Fourth §§ 10.221 and 40.22, Liaison Counsel shall assist with communications between the Court and other counsel, maintain an up-to-date service list, and otherwise assist in the prosecution of the litigation consistent with the local rules of practice.

5. Pursuant to Rule 23(g)(3) of the Federal Rules of Civil Procedure, the Court appoints Girard Sharp LLP, Gibbs Law Group LLP, Levine Kellogg Lehman Schneider + Grossman LLP, and Law Offices of Robert L. Brace as Interim Co-Lead Counsel to lead the action and to assure its orderly prosecution.

6. Consistent with the Manual for Complex Litigation, Fourth, §§ 10.221 and 40.22, Interim Co-Lead Counsel shall have the authority to perform or delegate the following tasks on behalf of all Plaintiffs in the consolidated action:

- (a) directing, coordinating, and supervising the prosecution of Plaintiffs' claims in this action;
- (b) preparing, structuring, and presenting pretrial and other case management orders;
- (c) convening meetings of counsel;
- (d) communicating with defense counsel;
- (e) initiating, responding to, scheduling, briefing, and arguing all motions;
- (f) appearing at all hearings and conferences regarding the case;
- (g) determining the scope, order, and conduct of discovery proceedings;
- (h) assigning work to Plaintiffs' counsel in this action, as necessary and appropriate;

- (i) retaining experts as necessary and appropriate;
- (j) conducting settlement negotiations on behalf of Plaintiffs and the proposed class;
- (k) entering into stipulations with opposing counsel as necessary for the conduct of the litigation;
- (l) preparing and distributing status reports to any other attorneys or law firms that might seek to represent the proposed class;
- (m) collecting and reviewing time and expense records from Plaintiffs' counsel on a regular basis, or as provided for under any Court-approved protocol;
- (n) coordinating activities to avoid duplication and inefficiency in the filing, serving, and/or implementation of pleadings, other court papers, discovery papers, and discovery practice, and generally in the litigation;
- (o) coordinating discovery and briefing of common legal issues, and if appropriate, settlement approval proceedings; and
- (p) performing such other duties that may be incidental to proper coordination of Plaintiffs' pretrial activities or authorized by further order of this Court.

7. Wells Fargo takes no position on Plaintiffs' request to designate liaison counsel or Interim Co-Lead Counsel and reserves all rights, including the right to challenge the adequacy of counsel under Federal Civil Rule 23.

8. Plaintiffs shall file a consolidated amended complaint within 30 days of the Court's order approving this stipulation. Defendant shall respond to the consolidated amended complaint within 30 days after its filing. Should Defendant's responsive pleading take the form of a motion, Plaintiffs shall have 30 days to file their opposition to that motion, and Defendant shall have 21 days to file its reply.

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1           9. All case deadlines stemming from, or entered in, the individual Related Actions prior to  
2 the consolidation order shall be vacated.

3 Dated: June 3, 2022

4 By: /s/ Miles N. Clark  
5 Miles N. Clark (NBN 13848)  
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11 *Proposed Liaison Counsel*

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22 *Proposed Interim Co-Lead Counsel*

23 Dated: June 3, 2022

24 By: /s/ Joseph G. Went  
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By: /s/ K. Issac deVyer

K. Issac deVyer (*pro hac vice forthcoming*)

Alicia A. Baiardo (*pro hac vice forthcoming*)

Anthony Q. Le (*pro hac vice forthcoming*)

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**IT IS SO ORDERED.**

Dated this 3 day of June, 2022

  
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Gloria M. Navarro, District Judge  
UNITED STATES DISTRICT COURT